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MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES,

ACCOMPANYING

COPIES OF THE DECISION AND DECLARATION

OF

THE COMMISSIONERS UNDER THE FOURTH ARTICLE

OF THE

TREATY OF GHENT.

MARCH 2, 1818.

Read, and ordered to lie upon the table.

WASHINGTON:

PRINTED BY E. DE KRAFFT.

1818.

Monograph

To the Senate and House of Representatives.

The Commissioners of the two governments, under the 4th article of the Treaty of Ghent, having come to a decision upon the questions submitted to them, I lay before Congress copies of that decision, together with copies of the declaration signed and reported by the Commissioners to this government.

JAMES MONROE.

Washington, Feb. 25, 1818.

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Declaration of the Commissioners under the fourth Article of the Treaty of Ghent.

New York, 24th *Nov.* 1817.

SIR,

The undersigned Commissioners, appointed by virtue of the fourth article of the treaty of Ghent, have attended to the duties assigned them, and have decided that Moose Island, Dudley Island, and Frederick Island, in the Bay of Passamaquoddy, which is part of the Bay of Fundy, do each of them belong to the United States of America, and that all the other islands in the Bay of Passamaquaddy, and the island of Grand Menan in the Bay of Fundy, do each of them belong to his Britannic majesty, in conformity with the true intent of the second article of the treaty of peace of one thousand seven hundred and eighty-three.

The Commissioners have the honor to enclose herewith their decision.

In making this decision, it became necessary that each of the Commissioners should yield a part of his individual opinion; several reasons induced them to adopt this measure, one of which was the impression and belief that the navigable waters of the Bay of Passamaquoddy, which, by the treaty of Ghent, is said to be part of the Bay of Fundy, are common to both parties for the purpose of all lawful and direct communication with their own territories and foreign ports.

The undersigned have the honor to be,

With perfect respect, Sir,

Your obdt. and humble servants,

(Signed) JOHN HOLMES,
THOMAS BARCLAY.

The Hon. John Q. Adams,
&c. &c. &c.

Decision of the Commissioners under the fourth Article of the Treaty of Ghent.

By Thomas Barclay and John Holmes, Esquires, Commissioners appointed by virtue of the 4th article of the treaty of peace and amity between his Britannic majesty and the United States of America, concluded at Ghent, on the 24th day of December, 1814, to decide to which of the two contracting parties to the said treaty, the several islands in the Bay of Passamaquaddy, which is part of the Bay of Fundy, and the island of Grand Menan, in the said Bay of Fundy, do respectively belong, in conformity with the true intent of the 2d article of the treaty of peace of 1783, between his said Britannic majesty and the aforesaid United States of America: We, the said Thomas Barclay and John Holmes, commissioners as aforesaid, having been duly sworn, impartially to examine and decide upon the said claims, according to such evidence as should be laid before us, on the part of his Britannic majesty and the United States, respectively, have decided, and do decide, that Moose Island, Dudley Island, and Frederic Island, in the Bay of Passamaquaddy, which is part of the Bay of Fundy, do, and each of them does belong, to the United States of America; and we have also decided, and do decide, that all the other islands, and each and every of them in the said Bay of Passamaquaddy, which is part of the Bay of Fundy, and the island of Grand Menan, in the said Bay of Fundy, do belong to his said Britannic majesty in conformity with the true intent of the said 2d article of said treaty of one thousand seven hundred and eighty three.

In faith and testimony whereof, we have set our hands and affixed our seals, at the city of New York, in the state of New York, in the United States of America, this twenty-fourth day of November, in the year of our Lord, eighteen hundred and seventeen.

(Signed) THOMAS BARCLAY, (L. S.)

(Signed) JOHN HOLMES, (L. S.)

Witness,

James T. Austin, (agent of the U. States.)

Anthony Barclay.

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